United Nations A/C.4/57/SR.6

General Assembly
Fifty-seventh session
Official Records

Distr.: General
15 November 2002

Original: English

Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 6th meeting
Held at Headquarters, New York, on Friday, 4 October 2002, at 3 p.m.

Chairman: Mr. Maitland ..... (South Africa)

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The meeting was called to order at 3.05 p.m.

Agenda item 19: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Territories not covered under other agenda items) (*continued*) (A/57/23 (Part II, chaps. VI and IX-XI, Part II/Add.1 and Part III, chap. XIII, sects. D-F and H) and A/57/206; A/C.4/57/L.2 and L.4; A/AC.109/2002/CRP.2; Aide-memoire 1/02)

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Agenda item 12: Report of the Economic and Social Council (*continued*) (A/57/3)

Agenda item 83: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (*continued*) (A/57/90 and Add.1; A/C.4/57/L.3)

1. **Mr. Madina** (Mozambique), welcoming the admission of Timor-Leste as a Member State, observed that all remaining Non-Self-Governing Territories should be enabled to enjoy their right to self-determination in the near future. Despite all that the Special Committee had done to advance decolonization, the United Nations still had a critical role to play in the course of the Second International Decade for the Eradication of Colonialism.

2. His delegation was deeply concerned by the lack of progress in Western Sahara. The United Nations settlement plan was still the only legal framework agreed by the parties and endorsed by the international community and the African Union and the most appropriate way to ensure self-determination. Mozambique urged the two parties to cooperate with the Personal Envoy of the Secretary-General and with his Special Representative so that the various phases of the settlement plan could be implemented and the remaining difficulties could be overcome. It was now certainly time to direct the United Nations Mission for the Referendum in Western Sahara (MINURSO) to complete expeditiously the identification process enabling a genuine, free, impartial and meaningful referendum to be held.

3. Mozambique looked forward to the day when the Fourth Committee agenda would no longer include dependent Territories, but rather would focus on international assistance to newly independent States.

4. **Mr. Toure** (Guinea) said that self-determination and independence for colonial countries and peoples were the two cardinal principles on which the United Nations acted in encouraging the aspirations of dependent peoples and enabling them to choose one of the three options set out in General Assembly resolution 1541 (XV). The Special Committee, working with perseverance, deserved major credit for the advances made. Yet in declaring the Second Decade, the United Nations had shown its awareness that there was still work ahead.

5. On the question of Western Sahara, Guinea unequivocally favoured a political solution in keeping with Security Council resolution 1429 (2002). It encouraged the Secretary-General and his Personal Envoy to pursue their efforts to find an acceptable way out of a dispute that had lasted too long. The entire international community must at the same time do more to promote a world of freedom, peace and security.

6. **Mr. Abebe** (Ethiopia) said that the founding of Timor-Leste testified to the crucial United Nations role in the struggle of peoples for self-determination and in ending colonial rule. Yet it was discomforting that more than 40 years after the Declaration, 16 Non-Self-Governing Territories had yet to exercise the right to self-determination; and it was to be hoped that the Second Decade would mark the complete eradication of colonialism. The United Nations, the specialized agencies and the administering Powers had to remain fully engaged in order to ensure sustainable results that were in the interests of the peoples involved, as the

Special Committee and New Zealand had done in the case of Tokelau. The Special Committee's plan to develop case-by-case programmes of work for each of the Territories was promising.

7. In Africa, Western Sahara was the only remaining colonial Territory, and it was high time for an impartial referendum to be held, in conformity with the settlement plan and as agreed by the two parties involved. Only the unhindered exercise of the right to self-determination by the Saharan people could be a viable solution.

8. **Mr. Oyarzún** (Spain), referring to the question of Gibraltar, said that he was pleased to report that the Governments of Spain and the United Kingdom had, as urged by the General Assembly, continued to hold intensive negotiations to resolve all their differences over Gibraltar. At a ministerial meeting in February 2002, a joint press communiqué had been adopted, confirming their objective of overcoming their differences and ensuring a secure future in which Gibraltar could preserve its way of life and traditions, enjoy greater internal self-government, sustain and enhance its prosperity and reap the full benefits of mutually beneficial cooperation in all fields, including the Campo region. In March 2002 the European Union and the European Parliament had endorsed the ongoing negotiations. Since then, further talks at various levels had taken place, including a ministerial meeting in September 2002 where the shared objective of resolving all differences had been reaffirmed.

9. Throughout the negotiations, the Chief Minister of Gibraltar had been invited to participate, on the basis of the "two flags, three voices" formula, with his own distinct voice as part of the British delegation; but unfortunately he had never yet taken up those invitations. Instead, he had unilaterally, and without the endorsement of the United Kingdom as administering Power, made preparations for a referendum that lacked all legal basis or effect. It should be noted that such an initiative contravened the annual General Assembly decisions on the matter, which consistently urged negotiation by the Governments of Spain and the United Kingdom.

10. His delegation reiterated its intention to work constructively towards a comprehensive agreement. With reference to the statements made recently before the Committee by the Chief Minister of Gibraltar and by the Leader of the Opposition, he pointed out that Spain's position — in keeping with the principles of the relevant General Assembly resolutions and especially that of territorial integrity — had not changed in any way.

11. **Mr. Tinline** (United Kingdom), speaking in exercise of the right of reply, said that talks in Britain and in Spain had indeed made significant progress towards resolving a long-standing dispute. The two Governments had agreed on the principle of co-sovereignty, a historic achievement. The referendum currently being organized by the Gibraltar Government was a local initiative in which his own Government was not involved. Since no proposals on which to vote had been put forward, it was not clear what purpose it would serve. However, since any change to the Gibraltar Constitution could trigger primary legislation in the United Kingdom, the British Government would expect to oversee the organization and timing of any referendum with that purpose.

12. The principle of the consent of the people of Gibraltar was central to the British Government's approach to the future of Gibraltar. Once a comprehensive settlement with Spain was reached, it would be put to the people of the Territory in a referendum.

13. **Mr. Gaspar Martins** (Angola) said that the completion of decolonization had been one of the main goals of the United Nations since its inception. The Organization's perseverance had enabled the people of Timor-Leste to realize their inalienable right to self-determination. Subsequently, Timor-Leste had gained its independence and joined the United Nations as its 191st Member State. Since its first day as an independent nation, Angola had been a strong advocate for the legitimate struggle of the people of Timor-Leste. He was therefore gratified to see that new Republic represented among the family of nations. The progress made in decolonization, though welcome, fell short of what had been envisaged in the plan of action for the International Decade for the Eradication of Colonialism.

14. Regarding Western Sahara, his delegation wished to reaffirm its support for Security Council resolution 1429 (2002), which underlined the validity of the settlement plan, and for the Houston agreements and all other relevant resolutions of the Council and the General Assembly calling for a free and impartial referendum with a view to realizing the right to self-

determination of the Saharan people. The lack of progress in Western Sahara was an obstacle to lasting peace in the region, and the conflict affecting living conditions there. His delegation urged the parties to seize the opportunity to make meaningful progress towards lasting peace in the whole of the Maghreb and called on Member States to implement resolution 1429 (2002), which was the sole instrument approved by the parties to the conflict and reflected the consensus achieved by the international community.

15. In the Middle East, the resurgence of violence could undermine the efforts being made towards a peaceful settlement of the Palestinian problem and the Israeli-Arab crisis. His delegation appealed to the warring parties to return to the negotiating table to seek a solution that would satisfy the political and security interests of all the inhabitants of the region.

16. His delegation was ready to cooperate fully with the United Nations and the international community to realize the right to self-determination of the Territories still under occupation.

17. **Mr. Chaudhry** (Pakistan) observed that although, over the years, the number of Non-Self-Governing Territories had dwindled to 16, there was much delicate and deliberate work ahead, and the responsibility was shared by all. The administering Powers must continue to work closely with the United Nations to realize the agreed objectives. New Zealand's commitment to the exercise of self-determination by the people of Tokelau was particularly welcome, and France, New Zealand and the United Kingdom were to be commended for having participated in a recent regional seminar in Fiji.

18. On the question of Western Sahara, his delegation upheld both the principle of self-determination and that of the non-selective implementation of all relevant Security Council resolutions. With the continued help of the Secretary-General, through his Personal Envoy, it should be possible to find an amicable solution acceptable to both parties to the dispute.

19. At the heart of the decolonization issue was the fundamental principle put forward in both the Charter and the Declaration on decolonization that peoples under alien subjugation had an inalienable right to self-determination.

20. In two regions of the world, even after independence, colonialism had left a bitter legacy of foreign occupation and conflict. For over half a century the peoples of Kashmir and Palestine had been denied their right of self-determination; and the decolonization agenda of the United Nations would be incomplete without the resolution of those two issues. Pakistan urged most strongly the implementation of all relevant Security Council resolutions. In the case of the state of Jammu and Kashmir, Council resolutions of 1951 and 1957 had called for a United Nations-sponsored plebiscite through which the people could freely and impartially express their will. Any action taken by the State's Constituent Assembly to determine the future shape and affiliation of the entire State or any part thereof would not be in accordance with the principles set out in those resolutions. Pakistan remained committed to the final settlement of the Kashmir dispute in accordance with the wishes of the people of Kashmir and the relevant Security Council resolutions. It also remained committed to a meaningful dialogue to address that core dispute in south Asia, which had long held the region back from realizing its true potential.

21. **Mr. Zhang** Yishan (China) said that since its inception the United Nations had attached importance to helping innumerable colonial countries and peoples exercise their right to self-determination and strive for independence, and gratifying results had been achieved. The participation by a large number of newly independent countries in international affairs had also greatly enhanced the universality of the United Nations; Timor-Leste was to be warmly welcomed for joining their numbers.

22. Yet the decolonization process was incomplete. Joint efforts were required of the United Nations, the peoples of the Non-Self-Governing Territories and their administering Powers, and the latter must be more effective in creating the necessary conditions for self-determination. They had to ensure that the people under their administration knew all of their rights, providing the necessary information to them in a timely manner, and must accept United Nations visiting missions to the Territories. Tokelau was an example of excellent cooperation between the Special Committee and the administering Power and of the usefulness of field missions for gaining a better understanding of the situation on the ground.

23. Most of the remaining Territories were small with a very fragile environment for development. It was therefore incumbent on the administering Powers to ensure the well-balanced development of the society,

economy, culture and education in the Territories while protecting the people and the natural resources.

24. **Mr. Osei** (Ghana) said that it was a blight on the conscience of the international community that, at the end of the First International Decade for the Eradication of Colonialism, 16 Territories remained non-self-governing. It was all the more regrettable since the peoples of the Territories, through their petitions presented time and again at the United Nations, had adduced sufficient evidence of their yearning for self-determination and independence. However, that state of affairs reflected less inaction on the part of the international community than unwillingness on the part of the administering Powers to heed the terms of the relevant General Assembly resolutions.

25. The adoption by the General Assembly of resolution 55/146 declaring the period 2001-2010 the Second International Decade for the Eradication of Colonialism had rekindled hopes of attaining the vision contained in the Plan of Action. His delegation, however, believed that the targets set could be achieved only if Member States, and in particular the Fourth Committee, eschewed any sense of complacency and focused on the issues that united them, rather than on those that caused divergence.

26. Much would depend on the Special Committee. His delegation welcomed the statement by the Rapporteur of the Special Committee, and noted with satisfaction that that body had continued to work within the framework of the Second Decade and the recommendations of the plan of action to nurture cooperation with the administering Powers. He was pleased to note the contacts, both formal and informal, between the Special Committee and the delegations of France, New Zealand, the United Kingdom and the United States of America. He welcomed, in particular, the extent of the cooperation between the Special Committee and New Zealand, which clearly complied with the spirit and letter of the resolutions on decolonization adopted each year by the General Assembly. At the same time, there was a need for new approaches to build confidence and promote cooperation between the Special Committee and the other administering Powers.

27. His delegation urged all Member States and parties directly involved in the affairs of the Non-Self-Governing Territories to recognize the primacy of the interests of the indigenous peoples, respect their desire for independence and show the necessary political will and flexibility in negotiations that would culminate in the independence of those Territories. His delegation, for its part, would continue to cooperate with the Bureau of the Fourth Committee regarding the way forward. Lastly, he wished to congratulate Timor-Leste on its independence and to welcome its delegation to the Committee.

28. **Mr. Okio** (Congo) said that his delegation fully supported the conclusions contained in the Special Committee's report, as well as a number of proposals made for dispatching visiting missions to the Non-Self-Governing Territories. Achievement of the goals of the Second International Decade for the Eradication of Colonialism (2001-2010) would require the support of the entire international community; however, implementation of the Declaration on decolonization had lost momentum over the years. His delegation was concerned about the 16 remaining Non-Self-Governing Territories and believed that nothing could justify inaction in that regard. Having participated in the regional seminar on decolonization, held in Havana in 2001, he understood the urgency of assisting those peoples still under colonial domination.

29. The independence of Timor-Leste was undoubtedly one of the Organization's greatest achievements in the area of decolonization. It must be supplemented by the provision of substantial support to the young State. Congo, which, despite the geographical distance between them, had supported the people of Timor-Leste in their struggle, was prepared to explore ways and means for mutually beneficial cooperation with the new State.

30. Western Sahara was the only remaining Non-Self-Governing Territory on the African continent. His delegation supported a just and lasting solution in accordance with the relevant General Assembly and Security Council resolutions. It also hoped to see a peaceful and negotiated settlement of the sovereignty dispute over the Falkland Islands (Malvinas) and urged the Governments of Argentina and the United Kingdom to make every effort to achieve it.

31. **Mr. Al-Zayani** (Bahrain) said that, in the Millennium Declaration, the heads of State or Government had rededicated themselves to the objectives of the Declaration on decolonization. The fact that the first International Decade for the

Eradication of Colonialism had failed to achieve its aims did not detract from the value of declaring the Decade itself, since, only a few decades earlier, it would have seemed entirely unrealistic even to dream of attaining its objectives. The role of the United Nations in that respect sprang from the Charter itself, in which the peoples of the world declared their belief in fundamental freedoms and human dignity, which were negated by colonial domination. There was every reason to hope that the Second International Decade would at last achieve the common goal of ridding the world once and for all of colonialism.

32. **Mr. Moleko** (Lesotho) said that the joyous celebration of his own country's independence on that very day 36 years earlier was marred by its deep regret that there was still one Non-Self-Governing Territory in Africa, namely, Western Sahara. His delegation fully supported all General Assembly and Security Council resolutions calling for its decolonization through the implementation of the settlement plan and the holding of a free and fair referendum without delay. He commended the efforts of the Secretary-General and his Personal Envoy to that end, as well as the work of the Special Committee on decolonization. His delegation welcomed Timor-Leste as the 191st Member State and hoped that its independence would soon be followed by that of Western Sahara.

33. **Mr. Fils-Aimé** (Haiti), said that, having endured the agony of colonialism for more than three centuries, Haiti was deeply attached to the principle of self-determination and endorsed General Assembly resolution 1514 (XV). It welcomed the attainment of independence by Timor-Leste and acknowledged the efforts of the Special Committee on decolonization in that struggle. It also hailed the special relationship between New Zealand and Tokelau and hoped that New Zealand would serve as an example for other administering Powers. With a view to achieving the goals of the Second International Decade, his delegation invited the administering Powers to lay the political, social, economic and educational groundwork for the decolonization of the remaining Non-Self-Governing Territories.

34. On 1 January 2004, Haiti, which had fought the only successful anti-colonialist, anti-slavery and anti-segregationist revolution in history, would be marking the 200th anniversary of its independence. His Government and people wished to propose that that year should be proclaimed the "International Year of the Commemoration of the Struggle against Slavery and its Abolition". He hoped that the international community would support their proposal.

35. **Mr. Lamba** (Malawi), welcoming Timor-Leste as the newest member of the United Nations, drew parallels between its situation and that of Western Sahara, where another colonizing Power had taken charge after the departure of the original colonizers. His delegation was convinced that the United Nations settlement plan was the only effective means of ensuring self-determination and independence for the people of Western Sahara. He urged both parties to the conflict to cooperate fully with the Secretary-General, his Personal Envoy and his Special Representative in implementing the various phases of the settlement plan, and called on the international community to support that effort.

36. His delegation was deeply concerned at the worsening situation in the Middle East, particularly with regard to the question of Palestine. He expressed support for the NGO Declaration and Plan of Action adopted by the United Nations International Conference of Civil Society in Support of the Palestinian People, held at United Nations Headquarters on 23 and 24 September. Vigorous efforts must be made to stop the violence and encourage the two sides to continue to work for a negotiated settlement. He urged the United Nations and the international community to strongly condemn violence in the region. His delegation would continue to support all international proposals for a negotiated settlement leading to an independent Palestinian State. He called upon the parties to the conflict to return to the negotiating table and stressed the need for international support to that end.

37. **Mr. Fall** (Senegal) praised the efforts of those attempting to resolve the question of Western Sahara through negotiations. Senegal, which, for centuries, had shared a common history and enjoyed fruitful relations with Morocco, believed that any form of Balkanization, separatism or disintegration, at the national or subregional level, would be a threat to stability in the region. Morocco had already indicated its willingness to negotiate on the basis of the draft framework agreement (S/2001/613, annex I) and to cooperate fully with all parties. Like Security Council resolution 1429 (2002), the consensus draft resolution A/C.4/57/L.2 on the question of Western Sahara reaffirmed that the settlement plan was the premise for

a just and lasting solution beneficial to the entire Maghreb region and held promise for the future. He urged the Committee to seize on the second chance being offered by the Security Council and adopt it.

Action on draft resolutions

Draft resolution I on information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations, submitted under agenda item 80 (A/57/23 (Part III), chap. XIII, sect. A)

38. *A recorded vote was taken.*

In favour:

Algeria, Andorra, Argentina, Armenia, Austria, Bahrain, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Madagascar, Malawi, Malaysia, Maldives, Malta, Mexico, Morocco, Mozambique, Myanmar, Namibia, Netherlands, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Abstaining:

France, Israel, United Kingdom, United States.

39. Draft resolution I was adopted by 118 votes, with 4 abstentions.*

40. **Mr. Tinline** (United Kingdom), speaking in explanation of vote after the vote, said that, as in previous years, the United Kingdom had abstained on the draft resolution. It did not take issue with the main objective of the resolution and would continue to meet its corresponding obligations fully in respect of the United Kingdom Overseas Territories. However, it believed that the decision as to whether a Non-Self-Governing Territory had reached a level of self-government sufficient to relieve the administering Power of the obligation to submit information under Article 73 *e* of the Charter, was ultimately for the Government of the Territory and the administering Power concerned, and not the General Assembly.

Draft resolution II on economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories, submitted under agenda item 81 (A/57/23 (Part III), chap. XIII, sect. B)

41. A recorded vote was taken.

In favour:

Algeria, Andorra, Argentina, Armenia, Austria, Bahrain, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Madagascar, Malawi, Malaysia, Maldives, Malta, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, Norway, Oman, Pakistan, Panama, Paraguay,

* The delegation of Latvia subsequently informed the Committee that, had it been present, it would have voted in favour of the draft resolution.

Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against:

Israel, United States.

Abstaining:

France, United Kingdom.

42. *Draft resolution II was adopted by 122 votes to 2, with 2 abstentions.*

Draft decision on military activities and arrangements by colonial Powers in Territories under their administration, submitted under agenda item 19 (A/57/23 (Part III), chap. XIII, sect. H)

43. *A recorded vote was taken.*

In favour:

Algeria, Argentina, Bahrain, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Ghana, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mexico, Morocco, Mozambique, Myanmar, Namibia, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Andorra, Armenia, Austria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Gambia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Japan, Latvia, Liechtenstein, Lithuania, Malta, Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Slovakia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom, United States, Yugoslavia.

Abstaining:

Bulgaria.

44. *The draft decision was adopted by 80 votes to 41, with 1 abstention.*

45. **Ms. Nielsen** (Denmark), speaking in explanation of vote on behalf of the European Union, said that some years earlier the European Union had initiated a dialogue with the Special Committee on decolonization in order to work towards building broader consensus. It acknowledged the progress achieved and encouraged that Committee to continue its efforts to submit balanced texts capable of attracting the broadest support.

46. As in previous years, the European Union was compelled to reiterate its objections regarding the draft decision on military activities, since that question fell outside the Committee's competence. Consequently, the member States of the European Union had once again voted against the draft decision.

Draft resolution III on implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations, submitted under agenda item 82 (A/57/23 (Part III), chap. XIII, sect. C)

47. *A recorded vote was taken.*

In favour:

Algeria, Argentina, Bahrain, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Ghana, Grenada,

Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Abstaining:

Andorra, Armenia, Austria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Gambia, Germany, Georgia, Greece, Hungary, Iceland, Ireland, Israel, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Malta, Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Slovakia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom, United States, Yugoslavia.

48. *Draft resolution III was adopted by 81 votes to 0, with 44 abstentions.*

49. **Ms. Nielsen** (Denmark) speaking in explanation of vote on draft resolution III on behalf of the European Union, said the European Union renewed its support for the specialized agencies in their efforts to offer assistance to Non-Self-Governing Territories in the humanitarian, technical and educational fields. Nevertheless, the European Union had abstained in the vote because it considered that the mandates of those agencies should be scrupulously respected.

Draft resolution A/C.4/57/L.3 on offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories, submitted under agenda item 83

50. **The Chairman** said that Nigeria had joined the sponsors.

51. *Draft resolution A/C.4/57/L.3 was adopted.*

Action on draft resolutions under agenda item 19

Draft resolution A/C.4/57/L.2 on the question of Western Sahara

52. **The Chairman** said that, in the thirteenth preambular paragraph, the words "to the people" should be inserted after the words "to cause suffering" and, in the following preambular paragraph, the word "of" should be deleted before the words "the efforts".

53. *Draft resolution A/C.4/57/L.2, as orally revised, was adopted.*

54. **Mr. Huntley** (Saint Lucia) said that, while his delegation had not wished to impede the consensus adoption of the draft resolution, it had deep concerns about it. The representative of Antigua and Barbuda, speaking on behalf of the Caribbean Community at an earlier meeting, had stated that the right to self-determination remained a fundamental principle of the Charter of the United Nations and that the Saharan people should be allowed to exercise that right. The draft resolution should have acknowledged all the factors that prevented a settlement, emphasizing that it was a matter of decolonization where the Saharan people had an inalienable right to self-determination; that previous United Nations resolutions to have them exercise that right had been thwarted, and that the international community should take action against those who had flouted its will; and proposing action to ensure that the will of the United Nations with regard to Western Sahara was implemented.

55. **Ms. Nielsen** (Denmark), speaking on behalf of the European Union and the associated countries Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey, and, in addition, Iceland and Norway, said that the European Union continued to follow the question of Western Sahara closely and welcomed the fact that the draft resolution had been adopted without a vote. It supported a just, lasting and mutually acceptable political solution which provided for the self-determination of the people of Western Sahara. It also supported Security Council resolution 1429 (2002), and invited the Secretary-General's Personal Envoy to pursue his efforts, taking into account the concerns expressed by the parties.

56. The humanitarian aspects of the conflict remained a source of great concern. Certain pressing needs, such as the detention of prisoners of war and the fate of

those unaccounted for since the beginning of the conflict, needed to be dealt with immediately. All parties should also collaborate with the United Nations High Commissioner for Refugees in the implementation of confidence-building measures and with MINURSO.

57. **Mr. Bennouna** (Morocco) said that the draft resolution just adopted reiterated the approach advocated by the Security Council. The Committee had concluded that it was impossible to implement the settlement plan and the referendum, owing to fundamental differences between the parties on the principal provisions of the plan. Consequently, it had supported the mandate to propose a political solution entrusted by the Security Council to the Secretary-General and his Personal Envoy, while recalling that a negotiated solution was essential, since the dispute constituted an obstacle to the economic development of the Maghreb region. Morocco reiterated its willingness to cooperate fully with the Secretary-General and his Personal Envoy in order to reach a just and lasting solution, as it had declared following the adoption of Security Council resolution 1429 (2002).

Draft decision A/C.4/57/L.4 on the question of Gibraltar

58. *Draft decision A/C.4/57/L.4 was adopted.*

59. **Mr. Huntley** (Saint Lucia) said that his delegation was not entirely satisfied with the draft resolution, because the United Nations was committed to the eradication of colonialism and the mandate of the Fourth Committee and the Special Committee was to ensure the attainment of that goal. Among other matters, the two Committees were responsible for monitoring developments in the Non-Self-Governing Territories so that their actions would be based on the existing conditions. The United Nations seemed to consider that the decolonization of Gibraltar could be achieved through the settlement of a dispute between the Governments of Spain and the United Kingdom. However, his delegation considered that it was only through the freely-expressed wishes of the people of a Non-Self-Governing Territory that it could be determined how and when such a Territory should be decolonized. In that respect, his delegation had noted with satisfaction the statement of the representative of Spain, declaring that any settlement should take into account the legitimate interests of the residents of the colony. However, his delegation would have preferred the draft decision to have taken note of all the most recent developments, particularly the negotiations between Spain and the United Kingdom with regard to shared sovereignty, and of the action of the people of Gibraltar.

60. **Mr. Oyarzun** (Spain) said that he presumed that the previous speaker was speaking as the representative of Saint Lucia, rather than as Chairman of the Special Committee.

Draft resolution IV on the question of New Caledonia (A/57/23 (Part III), chap. XIII, sect. D)

61. *Draft resolution IV was adopted.*

Draft resolution V on the question of Tokelau (A/57/23 (Part III), chap. XIII, sect. E)

62. **The Chairman** said that the consultations were still continuing on the draft resolution, which would be considered at a later date.

Draft resolution VI on the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, the Turks and Caicos Islands and the United States Virgin Islands (A/57/23 (Part III), chap. XIII, sect. F)

63. *Draft resolution VI was adopted.*

64. **Mr. Tinline** (United Kingdom) said that, as in previous years, the United Kingdom was pleased to support the consensus on the draft resolution. The British Overseas Territories Act 2002 had received parliamentary approval in February 2002 and had changed the nomenclature of "British Dependent Territories" to "British Overseas Territories" and "British Dependent Territories Citizens" to "British Overseas Territories Citizens" to reflect the modern nature of the relationship and to honour a key commitment made to grant British citizenship to British Overseas Territories Citizens from qualifying territories.

65. In September 2001, his Government had signed Environment Charters with the Chief Ministers of most United Kingdom Overseas Territories. Action Plans were being prepared in the Territories and a pilot project was under way in the Turks and Caicos Islands. His Government would be grateful if those two

important developments could be reflected in the draft resolution in future.

66. **Mr. Oyarzun** (Spain) said that Spain joined the consensus in support of the draft resolution. It supported the principle of self-determination for the Territories in question. At the same time, it considered that the said principle was not the only relevant principle for the decolonization of Non-Self-Governing Territories. There were specific cases, such as that of Gibraltar, where the principle of territorial integrity should be applied, in accordance with various General Assembly resolutions.

The meeting rose at 5.30 p.m.